

EXHIBIT 2

Ryan Sellers' Declaration

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Ryan Sellers, Individually and On Behalf of
All Others Similarly Situated,

Plaintiff,

v.

Keller Unlimited LLC, DBA Two Keys
Tavern, 57 Limited LLC, DBA Two Keys
Public House and Mark Keller individually

Defendants.

CIVIL ACTION NO.: 2:17-cv-02758-PMD

DECLARATION OF RYAN SELLERS

I, Ryan Sellers in accordance with the requirements of 28 U.S.C. § 1746, hereby declare:

1. I am over eighteen years of age and have personal knowledge of and am competent to testify as to the matters stated in this declaration. I am the named Plaintiff in this action.

2. I was employed by the Defendants as a bartender from May of 2013 until December of 2016. I was paid \$4.25 an hour plus tips. At some point during the course of my employment, I given a raise to \$4.75.

3. In approximately November of 2015, the Defendants assigned me additional job responsibilities, when I worked n Mondays and Thursdays. I was required to close the bar and perform other duties associated with closing, such as putting the deposits in the safe, making sure the bar was clean and the doors were locked. I was paid an additional \$50.00 per shift when I closed the bar. I performed these tasks in addition to my regular bartending duties.

4. Although this position was referred to as bar manager, as well as shift leader, key holder or head bartender, I had no management responsibilities. I was not involved in scheduling, hiring, or firing. Additionally, I was still subject to supervision by managers and had received written warnings.(See Exhibit 3)

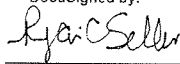
5. Like the other bartenders, I was subject to the Defendants' policy of taking deductions from our hourly wages for inventory shortages and discrepancies. (ECF 41-5)

6. In May of 2015, I broke my leg. My leg was in a cast up to my knee. I used a scooter to get around. Consequently, I was unable to bartend. For 3 months, while my leg was in a cast, I regularly worked from 9:00 A.M. to 8:30 P.M. My responsibilities were assisting with the deposits, running food, seating customers and assisting in any other way I was able to. During this time, I was paid \$150.00 a day. I had no management responsibilities

7. When I worked for the Defendants, I accurately reported my cash and credit card tips to the IRS. I was especially diligent about reporting my all my tips because I was trying to buy a house and I needed my all income to be reflected in my tax returns, so I could qualify for a mortgage.

I declare under penalty of perjury under the laws of the United States of America that the foregoing statements are true and correct to the best my personal knowledge.

FURTHER DECLARANT SAYETH NOT.

DocuSigned by:

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Ryan Sellers

This 17 day of June 2019